

**DOCKET NO.:** CRDS-0062/CRD0931CIP  
**Application No.:** 10/829,074  
**Office Action Dated:** N/A

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
**Robert Falotico, et al.**

Confirmation No.: **5950**

Application No.: **10/829074**

Group Art Unit: **1615**

Patent No.: **7,300,662**

Filing Date: **April 21, 2004**

Examiner: **Sharon E. Kennedy**

Issue Date: **November 27, 2007**

For: **Drug/Drug Delivery Systems For The Prevention And Treatment Of Vascular Disease**

Sir:

**COMMUNICATION**

Applicants submit herewith a Terminal Disclaimer over pending U.S. Application No. 10/796,397.

During prosecution of the captioned application (now issued as U.S. Patent No. 7,300,662), the Examiner made provisional rejections under the judicial doctrine of obviousness-type double patenting over four patent applications: U.S. Application Nos. 10/431,059; 10/742,346; 10/761,032; and 10/796,397. To advance prosecution, Applicants responded by submitting a terminal disclaimer.

It has recently come to Applicants' attention that the aforementioned Terminal Disclaimer contained a typographical error. One of the applications being disclaimed, although correctly identified in the Applicants' remarks transmitted with the Terminal Disclaimer, is incorrectly listed in the Terminal Disclaimer as Application Serial No. 10/761,397, instead of Application Serial No. 10/796,397.

To correct this error, Applicants herewith submit a Terminal Disclaimer over pending U.S. Application No. 10/796,397. The submission of this Terminal Disclaimer is not, nor

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should it be construed as, an admission that Applicants consider any claim of U.S. Patent No. 7,300,662 to be patentably indistinct over any claim in the disclaimed application.

U.S. Patent No. 7,300,662 is presently the subject of an *inter partes* reexamination (Serial No. 95/001,095). Applicants intend to file a communication in that reexamination making of record this activity in the underlying patent file.

Date: June 17, 2009

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